



Antwain Gibbs
Plaintiff,
vs.

Civil Action # 2:21-cv-
Complaint 00337

Donell Ames, Superintendent At Mocc Mt Olive

- (1) This is a civil action authorized by 42 USC Section 1983 to redress the deprivation, under color of State law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 USC 1332(a)(1) 28 USC 1367 USC Section 1331 and 1343(b)(1). Plaintiff seeks declaratory relief pursuant to 28 USC Section 2201 and 2202. Plaintiff claims for injunctive relief are authorized by 28 USC Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil procedure.

The United States Southern District of Charleston WV is where Plaintiff is file Complaint of temporary release Revocation Claim is about Conditions of Confinement and need not be pursued via habeas Corpus 28 USC 1391(b)(1) events of Plaintiff being housed at Mocc Mt Olive Facility.

Plaintiff is ask this Honorable Court for temporary release of case in Supreme Court of West Virginia Case # of Appeal # 20-0477 & 17-C-329. As Plaintiff has been waiting Almost 6 months for a response of Appeal # 20-0477 Plaintiff will like to ask this Honorable Court to enforce

Contempt temporary release programs generally does not shorten a prisoner's incarceration. Temporary release cases can therefore be brought immediately under 1983. See Case "Anderson v. Recore", 446, F3d 324, 334 (2d Cir 2006) "Nelson v. Murphy", 44, 497, 499 (7th Cir 1995), "Graham v. Braglin", 922 F2d, 319, 381 (7th Cir 1991), "Taylor v US Probation Office", 409, F3d, 426 (DC Cir 2005), "Brennan v Cunningham", 813 (1st Cir 1987)

Also Plaintiff is currently on a 10A Probation in South Carolina in has filed a 1983 Claim in the District of Greenville South Carolina Case: 8:20-cv-00216-Dec US District Court of South Carolina ask the Honorable Court to reverse plaintiff West Virginia Charge due to Constitutional rights of illegal extradition. Also Plaintiff is placed in Mt Olive & Jail under Inmate Information System Plaintiff filed grievances to see exactly what that mean. Also see Case: "Krist v Rickett", 504, F2d, 887, 88 (5th Cir 1974) "Behe v Winn", 319, 162, 215 (2004) "Young v Nickols", 413, 416, 419, (4th Cir 2005) "Brown v Plant", 131, 143, 167, (DC Cir 1997) "Adam", 405, 643 (8th Cir 2005) "Drollinger v Milligan", 552, 1220, (7th Cir 1977) To Plaintiff knowledge Defendant have the wrong person in custody as it seem that Mt Olive & Jail need more information of Plaintiff as plaintiff is need for Inmation of system as family call commissioner of West Virginia Plaintiff family was told that Plaintiff is not in the system as Plaintiff is under Inmate Information

Prayer for Relief Plaintiff respectfully prays that this Court enter judgment granting plaintiff temporary release as to pending Case Appeal #20-0078 of West Virginia Supreme Court of Appeals.

As plaintiff is entitled to the Equal Protection Clause of 14th, 8th amendment. (Article 29) Everyone has duties to the community in which alone the free and full development of his personality is possible. (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. (Article 25) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and right to security in the event of unemployment, sickness.

Verification

I have read the foregoing complaint and hereby verify that the matters alleged therein are true except as to matters alleged on informations and belief, and to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Signature: Antony Butte

Antwyrn Gladstone 3575372
MCC-one Mountain Side Way
Mt Olive WY 25185

Correspondence from an
Inmate at CHARLESTON, WV 250
Correctional
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United States District Court
300 Virginia Street, East, Room 2400
Charleston, West Virginia 25301

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